

REMARKS

This is a response to the Office Action mailed September 7, 2004. Claims 18-53 are pending in the application. Claims 46-51 have been rejected by the Examiner. As noted above, applicants have amended Claims 46 and 50. The amendments are fully supported by the written description. Claims 52 and 53 has been added.

Specification**Parent Application File History**

The Examiner objected to the disclosure because the history of the parent application needs to be updated. The parent application file history has been updated above.

Abstract

The Examiner objected to the abstract of the disclosure because it does not describe the invention. The abstract has been replaced with text that describes the invention.

Double Patenting

Claims 46-51 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-14 of U.S. Patent No. 6,695,920.

At this point neither the Examiner nor Applicants know the scope or content of the claims that will be found allowable from this application. Once that information is known, if the obviousness-type double patenting rejection is still appropriate, Applicants will promptly file a terminal disclaimer over U.S. Patent No. 6,695,920. Please hold this double patenting rejection in abeyance until then.

Claim Rejections 35 U.S.C. § 102

A. Moein – Claims 46, 48, 49, and 50

The Examiner has rejected Claims 46, 48, 49, and 50 under 35 U.S.C. § 102(e) as being unpatentable over Moein (U.S. Patent No. 6,572,644). Applicant respectfully disagrees.

As indicated above, the present application is a division of application serial number 09/894,248 filed on June 27, 2001, and issued February 24, 2004 as U.S. Patent No. 6,695,920. The filing date of Moein is June 27, 2001. Therefore, Moein is not prior art to the present application.

B. Edwin et al. – Claims 46-51

The Examiner has rejected Claims 46-51 under 35 U.S.C. § 102(e) as being unpatentable over Edwin et al. (U.S. Patent No. 6,245,099). Applicant respectfully disagrees.

The Examiner states:

Edwin et al. teaches a stent mounting device comprising a mandrel (20) for extending through a stent and at least one protrusion or gear (22; see col. 12, lines 37-53) having a diameter greater than a diameter of the mandrel and positioned thereon to support and contact an inner surface of the stent.

Claims 46-49

Claim 46 recites the feature “the mandrel being in communication with **a rotational device** for rotating the mandrel.” Edwin et al. does not disclose the above-mentioned feature. Therefore, Claim 46 is patentably allowable over Edwin et al. Claims 47-49 depend from Claim 46 and are allowable for at least the same reason. Please remove the anticipation rejection of claims 46-49.

Claim 50

Claim 50 recites the feature “a gear supported by the mandrel having a diameter greater than a diameter of the mandrel and **a diameter smaller than an inner diameter of the stent to allow for spacing between a majority of an outer periphery of the gear and an inner surface of the stent** for the purpose of minimizing contact between the outer periphery of the gear and the inner surface of the stent.” Edwin et al. do not teach a gear having **a diameter smaller than an inner diameter of the stent to allow for spacing between a majority of an outer periphery of the gear and an inner surface of the stent.**

Edwin teaches “selectively bonding layers ... of polymeric material to create endoluminal vascular devices” and that “selective bonding is achieved by applying pressure to selected areas using a textured mandrel.” (Abstract) Edwin et al. further disclose “splined or textured mandrels can also be used to apply selective heat and pressure to create selective adherence between ePTFE members.” (col. 10, lines 42-44) Fig. 5 of Edwin et al. depicts lines 54 that mark the position of splines. (col. 12, lines 60-61) The major diameter of the splines appear to be the same as the inner diameter of the stent (struts 48). Therefore, Edwin et al. does not appear to teach a gear having **a diameter smaller than an inner diameter of the stent to allow for spacing between a majority of an outer periphery of the gear and an inner surface of the stent.** Therefore, Claim 50 is patentably allowable over Edwin et al. Please remove the anticipation rejection of claim 50.

Claim 51

Edwin et al. do not teach or suggest that the “splines” are adjustable. Therefore, Edwin et al. do not teach or suggest the feature of claim 51 “a gear adjustably supported by the mandrel

and configured to contact an inner surface of the stent.” Therefore, Claim 51 is patentably allowable over Edwin et al. Please remove the anticipation rejection of claim 51.

C. Taylor et al. – Claims 50 and 51

The Examiner has rejected Claims 50 and 51 under 35 U.S.C. § 102(e) as being unpatentable over Taylor et al. (U.S. Patent No. 6,214,115). Applicant respectfully disagrees.

The Examiner states that “Taylor et al. teach a stent mounting device comprising a mandrel or support (3) for extending through a stent and at least one protrusion or gear (15) having a diameter greater than a diameter of the mandrel and integrally positioned thereon to support and contact an inner surface of the stent .”

Claim 50

Claim 50 recites the feature “a gear supported by the mandrel having a diameter greater than a diameter of the mandrel and **a diameter smaller than an inner diameter of the stent to allow for spacing between a majority of an outer periphery of the gear and an inner surface of the stent** for the purpose of minimizing contact between the outer periphery of the gear and the inner surface of the stent.” Taylor et al. do not teach a gear having **a diameter smaller than an inner diameter of the stent to allow for spacing between a majority of an outer periphery of the gear and an inner surface of the stent**. Therefore, Claim 50 is patentably allowable over Taylor et al. Please remove the anticipation rejection of claim 50.

Claim 51

Taylor et al. do not teach or suggest a “collar” or gear that is adjustable. Therefore, Taylor et al. do not teach or suggest the feature of claim 51 “a gear adjustably supported by the

mandrel and configured to contact an inner surface of the stent.” Therefore, Claim 51 is patentably allowable over Taylor et al. Please remove the anticipation rejection of claim 51.

D. Shannon et al. – Claims 46-48, 50, and 51

The Examiner has rejected Claims 46-48, 50, and 51 under 35 U.S.C. § 102(e) as being unpatentable over Shannon et al. (U.S. Patent No. 5,928,279). Applicant respectfully disagrees.

The Examiner states that “Shannon et al teach a stent mounting device comprising a mandrel or support (5) for extending through a stent and at least one protrusion or gear or ligature (52) having a diameter greater than a diameter of the mandrel and positioned thereon to support and contact an inner surface of the stent while providing sufficient torque enabling rotation of the stent during coating.”

Claims 46-48

Claim 46 recites the feature “**a gear** supported by the mandrel having a diameter greater than a diameter of the mandrel and **positioned on the mandrel to support the stent on an inner surface of the stent.**” Shannon et al. does not appear to teach the above-mentioned feature. Shannon et al. shows in Fig. 4f that “ligatures 52 of stainless steel wire **are tied about the opposite ends of the graft 10** so as to securely hold the base graft 12, PTFE-coated stent 14 and outer layer 16 on the mandrel 50.” (col. 11, lines 52-55) As shown in Fig. 4f, the ligatures 52 appear to be positioned over tape 17 that is wrapped over base graft 12 to securely hold the graft 12 on the mandrel 50. Furthermore, Shannon et al. do not appear to teach the feature recited in claim 46 “the mandrel being in communication with **a rotational device** for rotating the mandrel.” Therefore, Claim 46 is patentably allowable over Shannon et al. Claims 47-48

depend from Claim 46 and are allowable for at least the same reason. Please remove the anticipation rejection of claims 46-48.

Claim 50

As indicated above, Shannon et al. teaches ligatures 52 wrapped over the outside of base graft 12. Therefore, Shannon et al. do not appear to teach a gear having **a diameter smaller than an inner diameter of the stent to allow for spacing between a majority of an outer periphery of the gear and an inner surface of the stent.** Therefore, Claim 50 is patentably allowable over Shannon et al. Please remove the anticipation rejection of claim 50.

Claim 51

As indicated above, Shannon et al. teaches ligatures 52 wrapped over the outside of base graft 12. Therefore, Shannon et al. do not teach or suggest the feature of claim 51 “a gear adjustably supported by the mandrel and configured to **contact an inner surface** of the stent.” Therefore, Claim 51 is patentably allowable over Shannon et al. Please remove the anticipation rejection of claim 51.

CONCLUSION

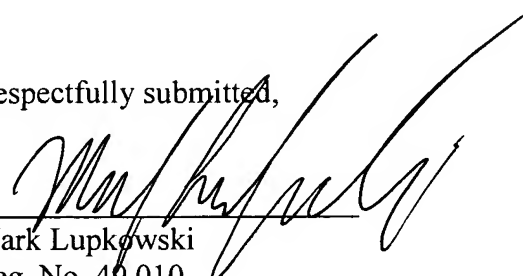
Claims 46-53 are pending in this application. Applicant respectfully submits that rejected Claims 46-51 have been placed in condition for allowance. Applicant respectfully requests the Examiner to enter the foregoing amendments and pass the case to issue.

If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned attorney at (415) 954-0297.

Date: December 7, 2004

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